

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

WILLIAM FREDERICK
HEAVYRUNNER,

Defendant.

CR-11-45-GF-BMM-2

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on December 16, 2020. (Doc. 103.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on December 15, 2020. (Doc. 98.) The United States accused Heavyrunner of violating his conditions of supervised release by failing to report to the United States Probation Office within 72 hours or his release from prison. (Doc. 95.)

At the revocation hearing, Heavyrunner admitted that he had violated the conditions of his supervised release by failing to report to the United States Probation Office within 72 hours or his release from prison. (Doc. 98.) Judge Johnston found that the violation Heavyrunner admitted proved to be serious and warranted revocation, and recommended that Heavyrunner receive a custodial sentence of until 12:00 p.m. noon on December 17, 2020, with 56 months of supervised release to follow. Heavyrunner was advised of the 14 day objection period and his right to allocute before the undersigned. (Doc. 98.)

The violation proves serious and warrants revocation of Heavyrunner's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 103) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant William Frederick Heavyrunner be sentenced to a period of custody until 12:00 p.m. noon on December 17, 2020 with 56 months supervised release to follow.

DATED this 16th day of December, 2020.



Brian Morris, Chief District Judge
United States District Court